



**The signed Consent Form must be signed, texted, postmarked, faxed, or emailed by [sixty days from mailing].** It is important that you return the Consent Form as soon as possible because the time period for which you can seek payment for your unpaid wages will depend on when this form is filed with the Court. If you lose or misplace the enclosed Consent Form, or if you have any questions about filling out or returning the Consent Form, you may contact Plaintiff's counsel listed in paragraph 8 of this Notice.

#### **5. NO RETALIATION PERMITTED**

The law prohibits Defendant or any of its agents or employees to discharge you, or in any manner harass, discriminate or retaliate against you for taking part in this collective action.

#### **6. EFFECT OF JOINING THIS ACTION**

If you join this collective action, you will be considered at party-plaintiff bound by any judgment that is rendered, whether favorable or unfavorable, and share in any recovery. You will also be bound by, and share in, any settlement that may be reached on behalf of the class.

As a plaintiff, you may be required to participate in the legal discovery process for the lawsuit, including being required participate in both written and deposition discovery. In the written discovery phase, you may be required to answer written questions under oath concerning your employment at B&I Hotel Management, LLC, including any employment at The Bertram Inn Hotel & Conference Center. In addition, you may be asked to provide documents in your possession, custody or control pertaining to your employment or the claims of the lawsuit's allegations. In the deposition phase, you may be required to appear in person for a deposition where the opposing counsel's attorney will be permitted to cross examine you on the record concerning your employment, including your day-to-day activities and employment duties.

The named Plaintiff in this matter has entered into a contingency fee agreement with Plaintiff's counsel, which means that if there is no recovery, there will be no attorneys' fees or costs chargeable to you. If there is a recovery of wages, liquidated damages, and/or attorneys' fees and costs, Plaintiff's counsel will be paid whatever attorneys' fees and costs the Court orders or approves as fair and reasonable.

#### **7. NO LEGAL EFFECT OF NOT JOINING THIS ACTION**

If you choose not to join this action, you will not be bound by any judgment or settlement, whether favorable or unfavorable, and you will not share in any recovery. You will be free to file your own lawsuit; however, the pendency of this action will not stop the running of the statute of limitations as to any claims you may have until you file your own lawsuit.

#### **8. YOUR LEGAL REPRESENTATION IF YOU JOIN**

James J. Hux  
Hux Law Firm, LLC  
3 Severance Circle #18147  
Cleveland Heights, Ohio 44118  
(937) 315-1106 (phone)  
(216) 359-7760 (fax)

Joshua B. Fuchs  
The Fuchs Firm LLC  
24870 Fairmount Boulevard  
Beachwood, Ohio 44122  
(216) 505-7500 (Telephone/Facsimile)  
josh@fuchsfirm.com

#### **9. FURTHER INFORMATION**

Further information about this Notice or the action may be obtained by calling The Fuchs Firm at 216-505-7500. The call is free and confidential.

**PLEASE DO NOT CONTACT THE COURT REGARDING THIS NOTICE.**

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**JESSICA BERRYHILL,**  
*on behalf of herself and all other similarly-*  
*situated individuals,*

Plaintiff,

V.

**B&I HOTEL MANAGEMENT, LLC,**

Defendant.

CASE NO. 5:19-cv-02504-JRA

JUDGE JOHN R. ADAMS

MAGISTRATE JUDGE  
HENDERSON

## CONSENT FORM

I hereby consent, agree, and opt-in to be a party Plaintiff in the above-captioned collective action. I agree to be represented by the Hux Law Firm, LLC and The Fuchs Firm LLC. I understand that by filing this consent, I will be bound by the judgment of the Court on all issues in this case.

Signature

Printed Name

Date \_\_\_\_\_

**SEND COMPLETED FORM BY:**

- (a) **mailing** it to Plaintiff's counsel in the included self-addressed and postage-prepaid envelope;
- (b) **faxing** the form to Plaintiff's counsel at (216) 505-7500; or
- (c) **scanning** the form and emailing it to Plaintiff's counsel at [josh@fuchsfirm.com](mailto:josh@fuchsfirm.com).

**Must be postmarked, faxed, or emailed by [60 days from mailing].**

**CONFIDENTIAL CLIENT INFORMATION SHEET**

**THIS INFORMATION IS FOR PLAINTIFF'S COUNSEL ONLY  
AND WILL NOT BE MADE PUBLIC.**

**Name:**

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**Address:**

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**Telephone Numbers:**

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**E-Mail:**

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